

**AMENDMENT TO THE DRAWING(S)**

Fig. 3 has been amended. The attached sheet of formal drawings replaces the original sheet including Figs. 3a and 3b.

## **REMARKS/ARGUMENTS**

Applicant responds herein to the Office Action of January 19, 2007.

### ***Objections to the Drawings***

The Examiner objected to Fig. 3 because it combined the top view of the blade with the front view of the blade. Applicants substituted previous Fig. 3 with Fig. 3a showing the top view and Fig. 3b showing the front view of the blade. The specification has been amended accordingly.

### ***Objections to the Specification***

The Examiner objected to the specification and the abstract of the application. Applicant corrected the informalities pointed out by the Examiner and submits herewith a substitute specification. The abstract has been amended as well. No new matter has been added.

### ***Claim Rejections***

Claims 1-6 were rejected in the Office Action. Applicant canceled Claims 1-6, added new Claims 7-13 and respectfully requests a reconsideration of the rejections.

New independent Claim 7 recites a vertical axis windmill having a vertically elongated blade mounted to a main shaft through a support arm. The vertically elongated blade includes an upper tilted end and a lower tilted end, each of the tilted ends gradually tapering and inclining inwardly towards the main shaft at an angle of 30-45 degrees with respect to a vertical axis of the main shaft. A chord length of the vertically elongated blade is 45-55 % of a radius of revolution of the blade.

Evans (U.S. Patent No. 4,255,085) discloses a vertical axis windmill having a shaft 14, support arms 28 and 30 and a blade 32. Contrary to the recitations of Claim 7, however, Evans does not disclose that the blade includes tilted ends gradually tapering and inclining inwardly towards the vertical main shaft. Instead, as clearly shown in Fig. 3, the tilted ends of the blade 32 incline outwardly away from the shaft 14. Moreover, there is no disclosure in Evans with respect to the angle of inclination of the tilted augments 40 and 42 or the chord length of the blade. The Examiner indicated in the Office Action that "a chord length of the blade appear to be approximately 45% of a radius of rotation of the blades." See, Office Action, page 4. However, it is well established that when the reference does not disclose that the drawings are to scale and

is silent as to dimensions, proportions of features shown in a drawing can not be used as evidence of actual proportions. *See*, MPEP 2125. Therefore, Evans does not disclose or suggest the above limitations of Claim 7.

Dereng (U.S. Patent No. 4,264,279) discloses a wind turbine having a main shaft 20 and blades 23 and 24 supported by a cross-arm 25. As the Examiner correctly indicated, Dereng discloses that "the chord should be 30 to 40% of the maximum radius." *See*, Col. 2, lines 23-24. However, Claim 7 recites that the chord length of the vertically elongated blade is 45-55% of the radius of revolution of the blade, not 30-40%. Therefore, this limitation is not disclosed or suggested by Dereng.

The above deficiency of Evans and Dereng is not remedied by any other cited reference. Accordingly, Claim 7 is allowable over the prior art of record. Moreover, new Claims 8-13 depend directly or indirectly from Claim 7. Therefore, Claims 8-13 are allowable at least for the same reasons as Claim 7 and, further, on their own merits.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 19, 2007:

Robert C. Faber

Name of applicant, assignee or  
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Signature

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Date of Signature

Respectfully submitted,



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